

ATTORNEY DOCKET NO.
091078.0554

PATENT APPLICATION
Serial No. 09/074,496

11

Allowed Claims

Noted with appreciation is the indication in the Office Action that Claims 5-12, 24-27, 32-33, 36 and 39 are all still considered to be allowable.

First Paragraph of 35 U.S.C. §112

Claim 37 stands rejected under the first paragraph of 35 U.S.C. §112 on the ground that it recites subject matter which is not described in the specification. This rejection is respectfully traversed.

Applicant initially wishes to point out that, pursuant to an interview, Primary Examiner Harry Kim previously indicated that the subject matter which now appears in Claim 37 was in fact in compliance with the first paragraph of §112. Further, Examiner Cottingham previously issued a Notice of Allowance, which allowed Claim 37 in its current form, and which thus represents a determination that the subject matter of Claim 37 is in fact in compliance with the first paragraph of §112. There has been no significant change to the subject matter of Claim 37 since these determinations, and it is thus not clear why objections under §112 are suddenly being raised at this time in regard to a claim which has repeatedly been found to be in compliance with §112.

Turning in more detail to the §112 rejection, a first aspect of the rejection is an assertion by the Examiner that Applicant does not disclose how the recited "attachment" is attached to the lower post. This ground of rejection is respectfully traversed. Applicant is enclosing an excerpt from *The American Heritage College Dictionary*, (Third Edition), which includes on page 88 a definition of the word "attachment". In particular, an "attachment" is defined to be "Something . . . that attaches one thing to another". In the

DAL01:732879.1

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ATTORNEY DOCKET NO.
091078.0554

→

PATENT APPLICATION
Serial No. 09/074,496

12

sentence at lines 3-8 on page 20, the present application explains that the drawings show a "bracket 152 attached to the end of lower portion 144". In this particular embodiment, the attachment is the structure which attaches the bracket 152 to the end of the lower portion 144. Consequently, and with due regard for the dictionary definition discussed above, it does not make sense for the Office Action to assert that Applicant does not disclose how the attachment is attached to the lower post, because the attachment is itself the structure which attaches the lower post to another part. It is thus respectfully submitted that the recitation of the "attachment" does not present any problem under the first paragraph of §112.

A second aspect of the §112 rejection relates to the recitation in Claim 37 that a first fastener has a failure strength less than the failure strength of the attachment. The Office Action asserts that the recitation of this feature in Claim 37 lacks support in the disclosure. This ground of rejection is respectfully traversed, because this feature was in fact disclosed in the originally-filed application papers. For example, it is explicitly evident from Figures 4 and 6, and is inherent in the explanation of these figures in the specification. In particular, as shown in Figures 4 and 6, when an impact breaks the shear pin 156 so that the upper portion 142 and bracket 150 rotate about the pivot pin 154 with respect to the lower portion 144 and bracket 152, the bracket 150 remains attached to the upper portion 142 and the bracket 152 remains attached to the lower portion 144. Thus, as inherently evident from Figures 4 and 6, the bracket 150 is necessarily attached to the upper portion 142 with a failure strength which is greater than the failure strength of the shear pin 156, and the bracket 152 is necessarily attached to

DAL01:732879.1

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ATTORNEY DOCKET NO.
091078.0554

→

PATENT APPLICATION
Serial No. 09/074,496

13

the lower portion 144 with a failure strength which is greater than the failure strength of the shear pin 156. Consequently, the originally-filed application papers do in fact include disclosure of the relative failure strength in question, and the rejection under the first paragraph of §112 therefore has no reasonable basis.

At best, it appears that the Examiner would apparently like to see an explicit mention of this feature in the specification (even though this feature it is explicitly shown in the drawings and implicitly present in the portion of the specification which discusses the drawings). Accordingly, the foregoing amendments add a paragraph to the specification which explicitly refers to this feature. Everything in this added paragraph is based directly on the originally-filed specification and drawings. As pointed out in MPEP §2163.06, "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter". Further, as pointed out in MPEP §2163.07(a):

By disclosing in a patent application a device that inherently performs a function or has a property, operates according to a theory or has an advantage, a patent application necessarily discloses that function, theory or advantage, even though it says nothing explicit concerning it. The application may later be amended to recite the function, theory or advantage without introducing prohibited new matter.

DAL01:732879.1

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ATTORNEY DOCKET NO.
091078.0554

→

PATENT APPLICATION
Serial No. 09/074,496

14

As evident from these provisions of the MPEP, the paragraph added by this Amendment on page 20 of the specification does not introduce any new matter into the disclosure of the invention. Further, the addition of this paragraph specifically ensures that the specification includes an explicit mention of the relative failure strengths in question.

Applicant wishes to add that, to the extent the foregoing discussion mentions specific embodiments of the present invention, it is purely by way of example, and is not intended to suggest any restriction or limitation to the interpretation of any claim. For the reasons set forth above, it is respectfully submitted that the subject matter of Claim 37 is properly disclosed in the present application and is now explicitly described in the specification, and that Claim 37 is thus in compliance with the first paragraph of §112.

Rejection under 35 U.S.C. §102

Claim 37 stands rejected under 35 U.S.C. §102 as anticipated by Ivey U.S. Patent No. 4,986,687. This ground of rejection is respectfully traversed, for the following reasons.

Applicant previously copied Claims 1 and 2 from Sicking U.S. Patent No. 5,988,598, and they were introduced into the present application as Claims 37 and 38. The subject matter of Claim 38 was later added to Claim 37. At the request of the Patent Office, Applicants previously made a minor change (substituting the word "attachment" for "second fastener"), based on an understanding reached with Primary Examiner Harry Kim that the modified claim would still be directed to the same invention as the corresponding claim in

DAL01:732879.1

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ATTORNEY DOCKET NO.
091078.0554

→

PATENT APPLICATION
Serial No. 09/074,496

15

the Sicking patent. Where a patent claim has been copied, MPEP §2307.02 provides that the approval of the Group Director is needed in order to present a rejection of the claim based on the prior art. In the present Office Action, Claim 37 is rejected under §102, but the Office Action is not signed by the Group Director. It is thus respectfully submitted that the rejection under §102 is invalid, because it lacks the requisite approval by the Group Director.

It is further noted that, although the Examiner is apparently taking the position that the minor modification made to Claim 37 causes it to be directed to an entirely different invention, this is inconsistent with the understanding reached with Primary Examiner Harry Kim at the time the amendment was made. Moreover, in the present Office Action, the Examiner has not offered any explanation as to why Claim 37 should be considered to be directed to an invention which is patentably distinct from the invention recited in the corresponding claims of the Sicking patent. In this regard, since the present application involves an interference issue in relation to Claim 37, the Examiner would apparently need to meet both prongs of the two-way analysis under 37 CFR §1.601(n) which was enunciated by the PTO Board of Patent Appeals and Interferences in *Winter v. Fujita*, 53 USPQ2d 1234 (1999), rehearing in part 53 USPQ2d 1478 (2000). The Office Action includes no such analysis.

In view of these serious defects in the §102 rejection, it is respectfully submitted that the §102 rejection is incomplete and lacks proper approval, and is therefore invalid. Accordingly, it is respectfully submitted that Applicants are not required to respond to the §102 rejection on the merits. Nevertheless, for purposes of completeness, and in order to expedite examination of the

DAL01:732879.1

ATTORNEY DOCKET NO.
091078.0554

PATENT APPLICATION
Serial No. 09/074,496

16

present application, Applicant will explain why Claim 37 is patentably distinct from the Ivey patent.

Claim 37 is directed to a "breakaway guardrail post", and includes a recitation that this device includes "a weak impact axis and a strong impact axis". In contrast, the device disclosed in the Ivey patent does not have a weak axis and a strong axis. To the contrary, Ivey explains that the disclosed device is intended to operate exactly the same in response to an impact from any direction. See, for example, lines 8-10 in the abstract of Ivey. Thus, the Ivey patent teaches directly away from the provision of a weak axis and a strong axis. As discussed in MPEP §2131, a reference which is used for a §102 rejection must disclose each and every feature recited in the rejected claim. Since the Ivey patent does not teach or even remotely suggest the provision of a weak axis and a strong axis, and in fact includes express language which teaches directly away from this concept, it is respectfully submitted that the Ivey patent lacks any disclosure of a feature which is expressly recited in Claim 37, and thus cannot possibly anticipate the subject matter of Claim 37 under §102. Claim 37 is therefore believed to be allowable, and notice to that effect is respectfully requested.

Request for Declaration of Interference

Claim 40 is effectively a direct copy of Claim 2 of Sicking U.S. Patent No. 5,988,598. The only difference is that, since Claim 40 is presented in independent form, it includes the limitations of both Claim 1 and Claim 2 of the Sicking patent. Claim 40 has been added to the present application for the purpose of invoking an interference between the present application and the Ivey patent, and Applicant respectfully requests that an interference be

DAL01:732879.1

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ATTORNEY DOCKET NO.
091078.0554

→

PATENT APPLICATION
Serial No. 09/074,496

17

declared. This request is in addition to and supplements Applicants' standing request for an interference between Claim 37 and the Sicking patent.

For purposes of an interference involving Claim 40 of the present application and Claim 2 of the Sicking patent, Applicant offers the following proposed count:

A breakaway guardrail post for highway crash control systems comprising:

an upper post member having a weak impact axis and a strong impact axis;

a lower post member disposed beneath and spaced apart from said upper post member;

a connecting joint member having a first end and a second end, said first end of said joint member connected at said first end by a first fastener to said upper post member and connected at said second end by a second fastener to said lower post member, said first fastener having a first failure strength less than a second failure strength of said second fastener;

said first fastener having a first connector having a first failure strength and a second connector having a second failure strength; and

said first failure strength greater than said second failure strength such that upon an impact force being applied along said weak impact axis, said second connector fails and said upper post member rotates about said first connector.

DAL01:732879.1

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ATTORNEY DOCKET NO.
091078.0554

→

PATENT APPLICATION
Serial No. 09/074,496

18

This proposed count is identical to Claim 40 of the present application. Thus, this proposed count corresponds exactly to Claim 40 of the present application, and corresponds substantially to Claim 2 of the Sicking patent. The proposed count would correspond exactly to Claim 2 of the Sicking patent, except that the proposed count is in independent form, whereas Claim 2 of the Sicking patent is in dependent form.

The subject matter of Claim 40 is effectively identical to the subject matter of Claim 38 as originally presented. Claim 38 was added to the present application in June of 2000, or in other words within a year after issuance of the Sicking patent on November 23, 1999. Thus, the presentation at this time of the subject matter in Claim 40 meets the requirements of 35 U.S.C. §135(b).

Originally-filed Claim 38 depended from originally-filed Claim 37, with respect to which the Patent Office objected to use of the term "second fastener". With reference to the enclosed excerpt from the *American Heritage College Dictionary*, page 496 includes a definition of the word "fastener", and basically indicates that a fastener can cause two items to be "attached". As discussed earlier in these remarks, lines 3-8 on page 20 of the present specification refer to a bracket 152 which is "attached" to the end of a lower portion 144. In light of the enclosed dictionary definition, it is respectfully submitted that the structure which causes the bracket and lower portion to be "attached" can properly be referred to as a "fastener".

Claim 40 is applied to the disclosure of the present application as follows:

DAL01:732879.1

ATTORNEY DOCKET NO.
091078.0554

PATENT APPLICATION
Serial No. 09/074,496

19

CLAIM 40, CORRESPONDING TO CLAIM 2 (i.e. CLAIMS 1 AND 2) OF U.S. PATENT NO. 5,988,598	SUPPORT IN APPLICATION SERIAL NO. 09/074,496
A breakaway guardrail post for highway crash control systems comprising:	See e.g., support post 130. Figs. 4-6
an upper post member having a weak impact axis and a strong impact axis;	Support post 130 includes upper portion 142. Figs. 4-6, specification page 19, lines 24-27. Support post 130 has a weak direction and a strong direction. Specification page 13, lines 12-13.
a lower post member disposed beneath and spaced apart from said upper post member;	Support post 130 includes lower portion 144, beneath and spaced from upper portion 142. Figs. 4-6.
a connecting joint member having a first end and a second end, said first end of said joint member connected at said first end by a first fastener to said upper post member and connected at said second end by a second fastener to said lower post member, said first fastener having a first failure strength less than a second failure strength of said second fastener;	Bracket 152 is a joint member that has a first end (upper) and a second end (lower). Figs. 4-6. The first (upper) end of bracket 152 is connected to upper post member 142 by a first fastener including pivot pin 154, shear pin 156 and bracket 150. Figs. 4-6, specification page 20, lines 3-21. The second (lower) end of bracket 152 is connected by a second fastener (attached) to lower post portion 144. Figs. 4-6,

DAL01:732879.1

ATTORNEY DOCKET NO.
091078.0554

PATENT APPLICATION
Serial No. 09/074,496

20

	<p>specification page 20, lines 3-8. The first fastener has a failure strength (of shear pin 156) which is less than the failure strength of the second fastener. Figures 4-6, Specification page 21, lines 5-14, and page 21, line 34 to page 22, line 3.</p>
<p>said first fastener having a first connector having a first failure strength, and a second connector having a second failure strength; and said first failure strength greater than said second failure strength such that upon an impact force being applied along said weak impact axis, said second connector fails and said upper post member rotates about said first connector.</p>	<p>The first (upper) end of bracket 152 is connected to upper post member 142 by a first connector including pivot pin 154 and by a second connector including shear pin 156. Figs. 4-6, specification page 20, lines 3-21, and page 20, lines 3-21. The pivot pin 154 has a failure strength greater than that of the shear pin 156. Upon impact along a weak axis of the post, the shear pin 156 fails and the upper portion 142 rotates about pivot pin 154. Figures 4-6. Specification page 21, lines 5-14, and page 21, line 34 to page 22, line 3.</p>

Claim 2 of the Sicking patent currently enjoys a presumption of validity over the applicable prior art. Consequently, since Claim 40 is effectively identical to

DAL01:732879.1

ATTORNEY DOCKET NO.
091078.0554

PATENT APPLICATION
Serial No. 09/074,496

21

Claim 2 of the Sicking patent, it is respectfully submitted that Claim 40 is patentable.

The effective filing date of the Sicking patent is November 4, 1998. Applicant is entitled to an earlier effective filing date, as the subject matter of Claim 40 in the corresponding count is disclosed in both the present application filed on May 7, 1998 (almost six months prior to the filing date of the Sicking patent), and also in U.S. provisional application Serial No. 60/046,015 filed May 7, 1997 (nearly 18 months prior to the filing date of the Sicking patent). The priority of the provisional application is claimed in the present application. Consequently, and in view of the fact that Applicant's effective filing date is at least six months prior to the filing date of the Sicking patent, it is respectfully submitted that there is a basis upon which Applicant is entitled to judgment relative to the patentee.

Conclusion

Based on the foregoing, it is respectfully submitted that all of the pending claims are fully allowable, and favorable reconsideration of this application is therefore respectfully requested. Further, it is respectfully requested that an interference involving Claims 37 and 40 be declared between the present application and the Sicking patent. If the Examiner believes that examination of the present application may be advanced in any way by a telephone conference, the Examiner is invited to telephone the undersigned attorney at (214) 953-6684.

Applicant believes that the previously-paid filing fees in this application cover the addition of Claim 40, such that no additional filing fee is due at this time. Nevertheless, the Commissioner is hereby authorized to charge

DAL01:732879.1

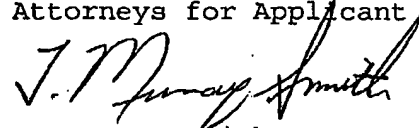
ATTORNEY DOCKET NO.
091078.0554

PATENT APPLICATION
Serial No. 09/074,496

22

any fee required by this paper, or to credit any overpayment,
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Respectfully submitted,
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Enclosures: Marked-Up Version of Amended Claim
 Excerpt from The American Heritage College
 Dictionary (Title Page, Copyright
 Page, and Pages 88 and 496)

DAL01:732879.1

ATTORNEY DOCKET NO.
091078.0554

PATENT APPLICATION
Serial No. 09/074,496

23

MARKED-UP VERSION OF AMENDED CLAIM

40. (New) A breakaway guardrail post for highway crash control systems comprising:

an upper post member having a weak impact axis and a strong impact axis;

a lower post member disposed beneath and spaced apart from said upper post member;

a connecting joint member having a first end and a second end, said first end of said joint member connected at said first end by a first fastener to said upper post member and connected at said second end by a second fastener to said lower post member, said first fastener having a first failure strength less than a second failure strength of said second fastener;

said first fastener having a first connector having a first failure strength and a second connector having a second failure strength; and

said first failure strength greater than said second failure strength such that upon an impact force being applied along said weak impact axis, said second connector fails and said upper post member rotates about said first connector.

DAL01:732879.1

THE
AMERICAN
HERITAGE®
COLLEGE
DICTIONARY

THIRD EDITION

n·a·r·y



HOUGHTON MIFFLIN COMPANY
Boston • New York

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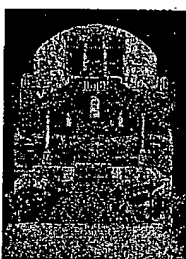
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88

ATP

attentive



atrium
Isabella Stewart Gardner
Museum, Boston



attaché case

ATP (ā'tē'pē') *n.* An adenosine-derived nucleotide, $C_{10}H_{16}N_5O_{13}P_3$, that supplies energy to cells through its hydrolysis to ADP. [a(adenosine) triphosphate.]

ATP-ase (ā'tē-pē'ās, -āz) *n.* An enzyme that catalyzes the hydrolysis of ATP; adenosine triphosphatase.

at·ra·bil·ious (āt'rā-bīl'yās) also **at·ra·bil·i·ar** (-bīl'ē-ār) *adj.* 1. Inclined to melancholy. 2. Having a peevish disposition; surly. [*< Lat. atra bilis, black bile (transl. of Gk. melankhōlia; see MELANCHOLY): atra, black; see āter- + bilis, bile.*] — **at·ra·bil·ious·ness** *n.*

at·ram·ble (ā-trēm'bəl) *adj.* Being in a state of shaking or trembling, as from fear or excitement.

at·re·sia (ā-trē'zhā, -zhē-s) *n.* 1. The absence or closure of a normal body orifice or passage such as the anus or intestine. 2. The degeneration and resorption of an ovarian follicle before it reaches maturity. [NLat. : *Gk. a-*, not, without; see *a-* + *Gk. trēsis, perforation, orifice; see tere-*] — **at·re·sic** (-zīk, -sīk) *adj.*

At·reus (ā'trē'ūs, ā'trē-ās) *n.* *Gk. Myth.* A king of Mycenae, father of Agamemnon and Menelaus.

atrial na·tri·u·ret·ic factor (nā'trē-yōō-rēt'īk) *n.* A hormone produced by the right atrium of the heart that stimulates the excretion of sodium by the kidneys and helps regulate blood pressure. [ATRIAL + *natrium, sodium (< NATRON) + usmo + FACTOR.*]

at·ri·o·ven·tric·u·lar (ā'trē-ō-vēn-trīk'yō-lār) *adj.* Of, relating to, or involving the atria and the ventricles of the heart.

at·ri·o·ven·tric·u·lar node *n.* A small mass of specialized muscle fibers, located in the wall of the right atrium of the heart, that transmits heartbeat impulses from the sinoatrial node to the ventricles.

at·tri·um (ā'trē-əm) *n., pl. a·tri·a (ā'trē-ā) or -ums. 1. *Archit.* A rectangular court, as: a. A usu. skylighted central area in some modern buildings. b. The open area in the center of an ancient Roman house. c. The forecourt of a building, enclosed on three or four sides with porticoes. 2. *Anat.* A body cavity or chamber, esp. either of the upper chambers of the heart that receives blood from the veins and forces it into a ventricle. [Lat. *atrium*. See *āter-*.] — **at·tri·al** *adj.**

at·tro·cious (ā-trō'shəs) *adj.* 1. Extremely evil or cruel; monstrous. 2. Exceptionally bad; abominable. [*< Lat. atrōx, atroc, frightful, cruel. See āter-*.] — **at·tro·cious·ly** *adv.* — **at·tro·cious·ness** *n.*

at·tro·cious·ness (ā-trō'shəs) *n., pl. ties.* 1. Appalling or atrocious condition, quality, or behavior; monstrousness. 2. An appalling or atrocious action, situation, or object. b. An act of violence by an enemy armed force on civilians or prisoners.

at·ro·phy (āt'rō-fē) *n., pl. -phies.* 1. *Pathol.* A wasting or decrease in size of a body organ, tissue, or part owing to disease, injury, or lack of use: *muscular atrophy*. 2. A wasting away, deterioration, or diminution: *intellectual atrophy*. — *v.* -phied, -phy·ing, -phies. — *tr.* To affect with atrophy. — *intr.* To waste away or deteriorate. [LLat. *atrophia < Gk. < atrophos, ill-nourished: a-*, without; see *a-* + *trophē, food.*] — **at·ro·phic** (ā-trōf'īk) *adj.*

at·ro·pine (āt'rō-pēn', -pīn) also **at·ro·pin** (-pīn) *n.* A poisonous crystalline alkaloid, $C_{17}H_{23}NO_3$, obtained from belladonna and other related plants and used to dilate the pupil of the eye and as an antispasmodic. [*< NLat. Atropa, genus name of belladonna < Gk. atropos, unchangeable. See Atropos.*]

At·ro·pos (āt'rō-pōs', -pōs) *n.* *Gk. Myth.* One of the three Fates, the cutter of the thread of destiny. [*Gk. < atropos, inexorable: a-*, not; see *a-* + *tropos, changeable; see Atropos.*]

At·si·na (āt-sē'nā) *n., pl. Atsina* or -nas. 1. A member of a Native American people formerly inhabiting the plains of northern Montana and southern Saskatchewan, with a present-day population in north-central Montana. 2. The Algonquian language of the Atsina.

att. abbr. 1. Attached. 2. Attention. 3. *Law.* Attorney.

at·tach (ā-tāch') *v.* -tached, -tach·ing, -tach·es. — *tr.* 1. To fasten, secure, or join. 2. To connect as an adjunct or associated condition or part: *issues attached to this legislation*. 3. To affix or append; add: *attached riders to the document*. 4. To ascribe or assign. 5. To bind by emotional ties, as of affection. 6. To assign to a military unit temporarily. 7. *Law.* To seize by legal writ. — *intr.* To adhere, belong, or relate: *Prestige attaches to this position*. [ME *attachen < OFr. attachier, alteration of estachier < estache, stake, of Gmc. orig.*] — **at·tach·a·ble** *adj.* — **at·tach·er** *n.*

at·ta·ché (āt'tā-shā', ā-tā-) *n.* 1. One assigned to a diplomatic mission to serve in a particular capacity. 2. An attaché case. [Fr. *< p.p. of attacher, to attach. See ATTACH.*]

attaché case *n.* A rigid briefcase, usu. having a lock.

at·tached (ā-tācht') *adj.* 1. *Archit.* Joined to or by a wall, esp. by sharing a wall with another building. 2. *Biol.* Living in a permanently fixed state in the adult stage.

at·tach·ment (ā-tāch'mēt) *n.* 1. The act of attaching or the condition of being attached. 2. Something, such as a tie or band, that attaches one thing to another. 3. A bond, as of affection; fond regard. 4. A supplementary part; an accessory.

5. *Law.* a. Legal seizure of property or a person. b. The writ ordering such a seizure.

at·tack (ā-tāk') *v.* -tacked, -tach·ing, -tacks. — *tr.* 1. To set upon with violent force. 2. To criticize strongly or hostilely. 3. To start work on with purpose and vigor: *attack a problem*. 4. To begin to affect harmfully: *The disease attacked the nervous system*. — *intr.* To make an attack; launch an assault. — *n.* 1. The act or an instance of attacking; an assault. 2. An expression of strong criticism; hostile comment: *newspaper attacks*. 3. *Sports.* a. An offensive action in a sport or game. b. The players executing such an action. 4. The initial movement in a task. 5. An episode or onset of a disease, esp. an occurrence of a chronic disease. 6. The experience or beginning of a feeling, need, or desire. 7. *Mus.* The beginning or manner of beginning a piece, passage, or tone. b. Decisiveness and clarity in artistic expression. [Fr. *attaquer < OFr. < OItal. *astaccare, of Gmc. orig.*] — **at·tack·er** *n.*

at·tain (ā-tān') *v.* -tained, -tain·ing, -tains. — *tr.* 1. To gain as an objective; achieve. 2. To arrive at, as by persistence or the passage of time. See *Syns* at reach. — *intr.* To succeed in a directed effort or progression. [ME *atteignere < OFr. atteindre, to reach to < VLat. *attingere < Lat. attingere: ad-, ad- + tangere, to touch; see tag-*.] — **at·tain·a·ble** *adj.* — **at·tain·a·ble·ness** *n.* — **at·tain·a·ble·ly** *adv.*

at·tain·der (ā-tān'dər) *n.* 1. In the ancient common law, the state into which an offender was placed when a sentence for a capital offense was handed down. 2. *Obsolete.* Dishonor. [ME *attaindre, act of attaining < OFr. atteindre, to convict, affect, attainder. See ATTAIN.*]

at·tain·ment (ā-tān'mēt) *n.* 1. The act of attaining or the condition of being attained. 2. Something that is attained.

at·tain·ment (ā-tān'mēt) *n.* 1. The act of attaining or the condition of being attained. 2. Something that is attained.

at·tar (āt'tər) also **ot·tar** (ōt'tər) or **ot·to** (ōt'tō) *n.* A fragrant essential oil or perfume obtained from flowers: *attar of roses*. [Pers. *'attar, perfumed < Ar. 'itr, perfume.*]

At·tar (āt'tər, ā-tār') *d. c. 1229.* Persian poet and mystic best known for his allegory *Conference of the Birds*.

At·ta·wa·pis·kat (āt'tā-wā-pīs'kāt) *n.* A river, c. 748 km (465 mi), of N Ontario, Canada, flowing from Attawapiskat Lake into James Bay.

at·tempt (ā-tēmt') *v.* -tempt·ed, -tempt·ing, -tempts. 1. a. To make an effort; endeavor. b. To try to perform, make, or achieve. 2. *Archaic.* To tempt. 3. *Archaic.* To attack with the intention of subduing. — *n.* 1. An effort or a try. 2. An attack; an assault. [ME *attempen < OFr. attemper < Lat. attemperare: ad-, ad- + temptare, to test.*] — **at·tempt·a·ble** *adj.* — **at·tempt·er** *n.*

at·tend (ā-tēnd') *v.* -tend·ed, -tend·ing, -tends. — *tr.* 1. To be present at. 2. To accompany as a circumstance or follow as a result. 3. a. To accompany or wait upon as a companion or servant. b. To take care of. See *Syns* at tend². 4. To take charge of. 5. To listen to; heed. 6. *Archaic.* To wait for; expect. — *intr.* 1. To be present. 2. To take care; give attention. 3. To apply or direct oneself. 4. To pay attention. 5. To remain ready to serve; wait. 6. *Obsolete.* To delay or wait. [ME *attenden < OFr. attendre < Lat. attendere, to heed: ad-, ad- + tendere, to stretch; see ten-*.]

at·ten·dance (ā-tēn'dāns) *n.* 1. The act of attending. 2. The persons or number of persons that are present. 3. The frequency with which a person is present.

at·ten·dant (ā-tēn'dānt) *n.* 1. One who attends or waits on another. 2. One who is present. 3. An accompanying thing or circumstance; a concomitant. — *adj.* 1. Being present: *ships and attendant sailors*. 2. Accompanying or following as a result: *attendant circumstances*. — **at·tend·ant·ly** *adv.*

at·tend·ee (ā-tēn'dē', ā-tēn-) *n.* One who is present at or attends a function. See *Usage Note* at -ee¹.

at·tend·ing (ā-tēn'dīng) *adj.* 1. Being the principal supervising physician. 2. Being a physician on the regular medical staff of a hospital. — **at·ten·ding** *n.*

at·ten·tion (ā-tēn'shon) *n.* 1. Concentration of the mental powers; a close observing or listening. 2. The ability or power to concentrate mentally. 3. Observant consideration; notice. 4. Consideration or courtesy. 5. attentions. Acts of courtesy or consideration, esp. by a suitor. 6. A military posture, with the body erect and heels together. — *intr.* Used as a command to assume an erect military posture. [ME *attencoun < Lat. attentio, attention- < attentus, p.p. of attendere, to heed. See ATTEND.*] — **at·ten·tion·al** *adj.*

attention deficit disorder *n.* A childhood syndrome characterized by hyperactivity and short attention span.

attention span *n.* The length of time that a person can focus attention on an object or idea without diversion.

at·ten·tive (ā-tēn'tiv) *adj.* 1. Giving care or attention; watchful: *attentive to detail*. 2. Marked by devoted attention to the pleasure or comfort of others. See *Syns* at thoughtful. — **at·ten·tive·ly** *adv.* — **at·ten·tive·ness** *n.*

496

Faruk I

fat

waist, used by European women in the 16th and 17th centuries. [Alteration of obsolete *verduggale* < OFr. *verdugale* < OSp. *verdugado* < *verdugo*, stick, shoot of a tree < *verde*, green < Lat. *viridis* < *virere*, to be green.]

Fa·ruk I (fā-rōk'/). See Farouk I.

Far West A region of the U.S. orig. comprising all territories W of the Mississippi R.; now generally restricted to the area W of the Great Plains. — **Far' West'ern** *adj.*

f.a.s. also **F.A.S. abbr.** Free alongside ship.

fascēs (fāsh'ēz') *pl.n.* A bundle of rods bound around an ax with the blade projecting, carried before ancient Roman magistrates as an emblem of authority. [Lat., pl. of *fascis*, bundle.]

fasc'cl-a (fāsh'ē-zə) *n., pl. fasc'cl-ae* (fāsh'ē-zē', fāsh'ē-zē). 1. *Anat.* A sheet or band of fibrous tissue that envelops, separates, or binds together muscles, organs, and other soft structures of the body. 2. A broad and distinct band of color. 3. (also fāsh'ē-zə). *Archit.* A flat horizontal band or member between moldings, esp. in a classical entablature. 4. (fāsh'ē-zə). *Chiefly British.* The dashboard of a motor vehicle. [Lat., band.] — **fasc'cl-al** *adj.*

fasc'cl-ate (fāsh'ē-zē') also **fasc'cl-at-ed** (-zē'd) *adj.* 1. *Bot.* Abnormally flattened or coalesced, as certain stems. 2. *Zool.* Marked by broad bands of color, as certain insects. [Lat. *fasciatus* < *fascia*, band.]

fasc'cl-a-tion (fāsh'ē-zē-shən, fāsh'ē-zē) *n.* 1. The act of binding up or fastening, as with bandages. 2. The manner in which something is bound up or fastened. 3. *Bot.* An abnormal flattening or coalescence of stems, as in broccoli.

fasc'cl-cle (fāsh'ē-zē-kəl) *n.* 1. A small bundle. 2. One of the parts of a book published in separate sections. 3. *Bot.* A bundle or cluster of stems, flowers, or leaves. 4. See fasciculus. [Lat. *fasciculus*, dim. of *fascis*, bundle.] — **fasc'cl-cled** *adj.*

fasc'cl-cu-lar (fāsh'ē-zē-lər) *adj.* Of, relating to, or composed of fascicles. — **fasc'cl-cu-lar-ly** *adv.*

fasc'cl-cu-late (fāsh'ē-zē-līt) also **fasc'cl-cu-lat-ed** (-līt'd) *adj.* Arranged in or formed of fascicles; fascicular. — **fasc'cl-cu-late-ly** *adv.* — **fasc'cl-cu-la-tion** *n.*

fasc'cl-cule (fāsh'ē-zē-kool') *n.* See fascicle 2.

fasc'cl-cu-lus (fāsh'ē-zē-ləs) *n., pl. -li* (-lē'). A bundle of anatomical fibers, as of muscle. [Lat., fascicle. See *fascicle*.]

fasc'cl-nate (fāsh'ē-zē-nāt') *v. -nat-ed, -nat-ing, -nates. -rr.* 1. To hold an intense interest or attraction for. See *Syns* at *charm*. 2. To hold motionless; spellbind. 3. *Obsolete.* To bewitch. — *intr.* To be irresistibly charming or attractive. [Lat. *fascinare*, *fascināt*, to cast a spell on < *fascinum*, an evil spell, a phallic-shaped amulet.]

fasc'cl-nat-ing (fāsh'ē-zē-nāt'ing) *adj.* Possessing the power to charm or allure; captivating. — **fasc'cl-nat'ing-ly** *adv.*

fasc'cl-na-tion (fāsh'ē-zē-nā-shən) *n.* 1. The capability of eliciting intense interest or of being very attractive. 2. The state of being intensely interested or attracted; listened in *fascination*. 3. An attractive, intensely interesting quality or trait.

fasc'cl-na-tor (fāsh'ē-zē-nā-tər) *n.* 1. One that fascinates. 2. A woman's head scarf.

fasc'cl-ne (fāsh'ē-zē-nē) *n.* A cylindrical bundle of sticks bound together for use in construction, as of fortresses, earthworks, sea walls, or dams. [Fr. < Lat. *fascina* < *fascis*, bundle.]

fasc'clsm (fāsh'ē-zē-əm) *n.* 1. Often Fascism. a. A system of government marked by a totalitarian dictator, socioeconomic controls, suppression of the opposition, and usu. a policy of belligerent nationalism and racism. b. A political philosophy or movement based on or advocating such a system. 2. Oppressive dictatorial control. [Ital. *fascismo* < *fascio*, group < Lat. *fascium*, neur. of Lat. *fascis*, bundle.] — **fasc'cl-s'm** (*fāsh'ē-zē-s'm*) *adj.*

fasc'clst (fāsh'ē-zē-st) *n.* 1. Often Fascist. An advocate or adherent of fascism. 2. A reactionary or dictatorial person. — *adj.* 1. Often Fascist. Of, advocating, or practicing fascism. 2. Fascist. Of or relating to the Fascists. [Ital. *fascista* < *fascio*, group. See *fascism*.]

Fa·scis·ti (fāsh'ē-zē-tē) *pl.n.* The members of a political party that controlled Italy under Benito Mussolini from 1922 to 1943. [Ital., pl. of *fascista*, fascist. See *fascist*.]

fash'lon (fāsh'lon) *n.* 1. The prevailing style or custom, as in dress. 2. Something, such as a garment, that is in the current mode. 3. The style of the social elite. 4.a. Manner or mode; way. b. A personal, often idiosyncratic manner. See *Syns* at *method*. 5. Kind or variety; sort. 6. Shape or form; configuration. — *tr.v.* -loned, -lon-ing, -lons. 1. To give shape or form to; make. 2. To train or influence into a particular state or character. 3. To adapt, as to a purpose or an occasion; accommodate. 4. *Obsolete.* To contrive. — *Idiom.* after (or in) a fashion. In some way or other, esp. to a limited extent. [ME *facioun* < OFr. *façon*, appearance, manner < Lat. *faciō*, *faciō*, a making < *factus*, p.part. of *facere*, to make, do. See *diē-*.] — **fash'lon-er** *n.*

fash'lon-a·ble (fāsh'lon-ə-bəl) *adj.* 1. Conforming to the current style; stylish. 2. Associated with or frequented by persons of fashion. — *n.* A stylish person. — **fash'lon-a·blē-ty**, **fash'lon-a·blē-ness** *n.* — **fash'lon-a·blē-ly** *adv.*

fashion platē *n.* 1. A person who consistently wears the latest fashions. 2. An illustration of current styles in dress.

fast' (fāst) *adj.* **fast·er, fast·est.** 1. Acting, moving, or capable of acting or moving quickly; swift. 2. Accomplished in relatively little time. 3. Indicating a time somewhat ahead of the actual time: *The clock is fast.* 4. Adapted to or suitable for rapid movement. 5. Designed for or compatible with a short exposure time: *fast film.* 6.a. Dissipated; wild: *a fast crowd.* b. Flouting moral standards; sexually promiscuous. 7. Resistant, as to destruction or fading: *fast colors.* 8. Firmly fixed or fastened. 9. Fixed firmly in place; secure. 10. Firm in loyalty. 11. Lasting; permanent. 12. Deep; sound: *in a fast sleep.* — *adv.* **faster, fastest.** 1. In a secure manner; tightly. 2. To a sound degree; deeply. 3. In a rapid manner; quickly. 4. In quick succession. 5. Ahead of the correct or expected time. 6. In a dissipated, immoderate way. 7. *Archaic.* Close by; near. [ME < OE *fast*, firm, fixed. See *past*.]

Syns: *fast, rapid, swift, fleet, speedy, quick, hasty, expeditious.* These adjectives refer to something marked by great speed. *Fast* and *rapid* are often used interchangeably, though *fast* is more often applied to the person or thing in motion, and *rapid*, to the activity or movement involved: *a fast runner; rapid strides.* *Swift* suggests smoothness and swiftness of movement (*a swift current*), and *fleet*, lightness of movement (*The cheetah is the fleetest of animals*). *Speedy* refers to velocity (*a speedy train*) or to promptness or hurry (*a speedy resolution to the problem*). *Quick* most often applies to what takes little time or to what is prompt: *a quick snack; her quick reaction.* *Hasty* implies hurried action (*a hasty visit*) and often a lack of care or thought (*regretted the hasty decision*). *Expeditious* suggests rapid efficiency: *sent the package by the most expeditious means.* See also *Syns* at *faithful*.

fast' (fāst) *intr.v.* **fast·ed, fast·ing, fasts.** 1. To abstain from food. 2. To eat very little or abstain from certain foods, esp. as a religious discipline. — *n.* 1. The act or practice of fasting. 2. A period of fasting. [ME *fasten* < OE *fastan*. See *past*.]

fast·back (fāst'bāk') *n.* An automobile designed with a curving downward slope from roof to rear.

fast·ball (fāst'bōl') *n.* Baseball. A pitch thrown at the pitcher's maximum speed.

fast break *n.* Sports. A rush by the offense toward the goal before the defense is ready.

fast·ten (fāst'tən) *v. -tened, -ten-ing, -tens. -tr.* 1. To attach firmly to something else, as by pinning or nailing. 2.a. To make fast or secure. b. To close, as by fixing firmly in place. 3. To fix or direct steadily: *fastened her gaze on me.* 4. To place; attribute. 5. To impose (oneself) without welcome. — *intr.* 1. To become attached, fixed, or joined. 2. To take firm hold; cling fast. 3. To focus steadily; concentrate. [ME *fasten* < OE *fastrian*. See *past*.] — **fast'ten·er** *n.*

fast·ten·ing (fāst'ten'ing) *n.* Something, such as a hook, used to attach one thing to another firmly.

fast food *n.* Inexpensive food, such as hamburgers, prepared and served quickly. — **fast'food'** (fāst'fōd') *adj.*

fast·for·ward or **fast forward** (fāst-fōr'wārd) *n.* 1.a. A function on a recording device, such as a videocassette player, that permits rapid advancement of the tape. b. The mechanism, such as a button, that activates this function. 2. *Informal.* A rapidly changing situation. — **fast·for'ward** *v.*

fast·tid·i·ous (fāst'tīd'ē-əs, fā-) *adj.* 1. Possessing or displaying meticulous attention to detail. 2. Difficult to please; exacting. 3. Excessively scrupulous or sensitive, esp. in matters of taste or propriety. [ME, *squeamish*, particular, haughty < OFr. *fastidieux* < Lat. *fastidiosus* < *fastidium*, squeamishness, haughtiness, prob. < *fastus*, disdain.] — **fast·tid'ious-ly** *adv.* — **fast·tid'ious-ness** *n.*

fast·tig·i·ate (fāst'tij'ē-īt) also **fast·tig·i·at-ed** (-ē-īt'd) *adj.* *Bot.* Having erect branches tapering toward the top, as in the Lombardy poplar. [Med.Lat. *fastigiatus*, high < Lat. *fastigium*, apex, height.] — **fast·tig'iate-ly** *adv.*

fast·tig·i·um (fāst'tij'ē-əm) *n.* The period of maximum severity of a disease or fever. [Lat. *fastigium*, apex, height.]

fast lane *n.* *Informal.* A reckless, self-indulgent, and free-spending sphere of activity. — **fast'lane'** (fāst'lān') *adj.*

fast·ness (fāst'nēs) *n.* 1. The condition or quality of being fast, esp.: a. Firmness; security. b. Rapidity; swiftness. 2. The quality or condition of color retention; colorfastness. 3.a. A secure or fortified place. b. A remote, secret place.

fast one *n.* *Informal.* A shrewd trick or swindle; a deceitful or treacherous act.

fast-talk (fāst'tōk') *tr.v.* -talked, -talk-ing, -talks. *Informal.* To persuade, mislead, or obtain with a smooth line of talk: *fast-talked him out of his money.* — **fast'talk'er** *n.*

fast track *n.* *Informal.* The quickest and most direct route to achieve a goal, as in professional advancement. — **fast'track'** (fāst'trāk') *adj.* — **fast track'er** *n.*

fat (fāt) *n.* 1.a. The ester of glycerol and fatty acids. b. Any of various organic compounds constituting the esters of glycerol and fatty acids. c. A mixture of such compounds occurring in organic tissue, esp. in the adipose tissue of animals and in the seeds, nuts, and fruits of plants. d. Animal tissue containing such substances. e. A solidified animal or vegetable oil. 2. Obesity; corpulence. 3. The best or richest part. 4. Unnecessary excess. — *adj.* **fat·ter, fat·test.** 1. Having much or



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